



rejected, namely on October 5, 2006, August 10, 2007, and April 8, 2008, making the filing of the Notice of Appeal filed October 7, 2008, a proper, and timely, response to the April 8, 2008 Office Action.

Accordingly, since Applicant had filed a timely response to the April 8, 2008 Office Action, it is requested that the Holding of Abandonment be withdrawn.

This Petition does not require a fee, but if one is required, authorization to charge Deposit Account 50-1407 therefor is hereby granted.

Concurrently with the filing of this Petition, and with the expectation that it will be granted, Applicant is filing a four month extension of time petition to extend the time to file an Appeal Brief to April 7, 2009, and is filing a Continuation Patent Application (Attorney Docket No. 46148) instead of filing the Appeal Brief.

Respectfully submitted,

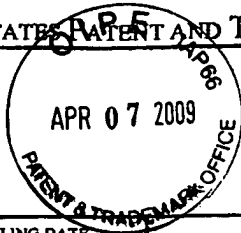


Martin D. Moynihan  
Registration No. 40,338

April 7, 2009



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/516,926	07/14/2005	Lior Baussi	37160	8721

67801 7590 04/01/2009  
MARTIN D. MOYNIHAN d/b/a PRTSI, INC.  
P.O. BOX 16446  
ARLINGTON, VA 22215

EXAMINER

TORRES, MARCOS L

ART UNIT PAPER NUMBER

2617

MAIL DATE DELIVERY MODE

04/01/2009

PAPER

**COPY**

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



Notice of Abandonment	Application No.	Applicant(s)	
	10/516,926	BAUSSI ET AL.	
	Examiner	Art Unit	
	MARCOS L. TORRES	2617	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

This application is abandoned in view of:

- ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 08 April 2008.
  - ☐ A reply was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply (including a total extension of time of \_\_\_\_\_ month(s)) which expired on \_\_\_\_\_.
  - ☐ A proposed reply was received on \_\_\_\_\_, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.  
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
  - ☐ A reply was received on \_\_\_\_\_ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
  - ☒ No reply has been received.
- ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
  - ☐ The issue fee and publication fee, if applicable, was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
  - ☐ The submitted fee of \$\_\_\_\_\_ is insufficient. A balance of \$\_\_\_\_\_ is due.  
The issue fee required by 37 CFR 1.18 is \$\_\_\_\_\_. The publication fee, if required by 37 CFR 1.18(d), is \$\_\_\_\_\_.
  - ☐ The issue fee and publication fee, if applicable, has not been received.
- ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
  - ☐ Proposed corrected drawings were received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply.
  - ☐ No corrected drawings have been received.
- ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
- ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
- ☐ The decision by the Board of Patent Appeals and Interference rendered on \_\_\_\_\_ and because the period for seeking court review of the decision has expired and there are no allowed claims.
- ☐ The reason(s) below:  
  
Call made to applicant to verify status of application on 3-24-09.

/George Eng/  
Supervisory Patent Examiner, Art Unit 2617

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.



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## Transaction History

Date	Transaction Description
04-01-2009	Mail Abandonment for Failure to Respond to Office Action
03-30-2009	Abandonment for Failure to Respond to Office Action
10-07-2008	Notice of Appeal Filed
10-07-2008	Request for Extension of Time - Granted
07-29-2008	Filing Receipt - Corrected
04-08-2008	Mail Non-Final Rejection
03-31-2008	Non-Final Rejection
02-27-2008	Date Forwarded to Examiner
02-27-2008	Date Forwarded to Examiner
02-08-2008	Request for Continued Examination (RCE)
02-27-2008	DISPOSAL FOR A RCE/CPA/129 (express abandonment if CPA)
02-08-2008	Request for Extension of Time - Granted
02-08-2008	Workflow - Request for RCE - Begin
10-24-2007	Change in Power of Attorney (May Include Associate POA)
10-24-2007	Change in Power of Attorney (May Include Associate POA)
10-19-2007	Correspondence Address Change
08-10-2007	Mail Final Rejection (PTOL - 326)
08-06-2007	Final Rejection
05-03-2007	Date Forwarded to Examiner
04-04-2007	Response after Non-Final Action
04-04-2007	Request for Extension of Time - Granted
10-05-2006	Mail Non-Final Rejection
10-02-2006	Non-Final Rejection
07-14-2005	Information Disclosure Statement considered
03-22-2006	Case Docketed to Examiner in GAU
11-27-2005	Cleared by OIPE CSR
11-18-2005	Case Docketed to Examiner in GAU
11-18-2005	IFW TSS Processing by Tech Center Complete
11-18-2005	Case Docketed to Examiner in GAU
07-14-2005	Reference capture on IDS
07-14-2005	Information Disclosure Statement (IDS) Filed
07-14-2005	Information Disclosure Statement (IDS) Filed
12-01-2004	Preliminary Amendment
07-14-2005	371 Completion Date
09-07-2005	Application Dispatched from OIPE
09-07-2005	Notice of DO/EO Acceptance Mailed
07-14-2005	Additional Application Filing Fees
07-14-2005	Information Disclosure Statements
07-14-2005	A statement by one or more inventors satisfying the requirement under 35 USC 115, Oath of the Applicant
07-20-2005	Correspondence Address Change
05-16-2005	Notice of DO/EO Missing Requirements Mailed
05-05-2005	Mail-Petition to Revive Application - Granted
12-01-2004	Petition Entered
12-01-2004	Initial Exam Team nn

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10/518,928

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10-07-2008	N/AP	Notice of Appeal Filed	1	<input type="checkbox"/>		
10-07-2008	XT/	Extension of Time	1	<input type="checkbox"/>		
07-29-2008	APP.FILE.REC	Filing Receipt	3	<input type="checkbox"/>		
05-02-2008	CFILE	Request for Corrected Filing Receipt	19	<input type="checkbox"/>		
04-08-2008	CTNF	Non-Final Rejection	22	<input type="checkbox"/>		
04-08-2008	FWCLM	Index of Claims	2	<input type="checkbox"/>		
04-08-2008	SRFW	Search information including classification, databases and other search related notes	1	<input type="checkbox"/>		
02-08-2008	RCEX	Request for Continued Examination (RCE)	1	<input type="checkbox"/>		
02-08-2008	AMSB	Amendment Submitted/Entered with Filing of CPA/RCE	1	<input type="checkbox"/>		
02-08-2008	CLM	Claims	10	<input type="checkbox"/>		
02-08-2008	REM	Applicant Arguments/Remarks Made in an Amendment	8	<input type="checkbox"/>		
02-08-2008	XT/	Extension of Time	1	<input type="checkbox"/>		
02-08-2008	WFEE	Fee Worksheet (PTO-06)	1	<input type="checkbox"/>		
10-24-2007	PEFN	Pre-Exam Formalities Notice	1	<input type="checkbox"/>		
10-05-2007	PA.	Power of Attorney	1	<input type="checkbox"/>		
08-10-2007	CTFR	Final Rejection	17	<input type="checkbox"/>		
08-10-2007	FWCLM	Index of Claims	1	<input type="checkbox"/>		
08-10-2007	SRFW	Search information including classification, databases and other search related notes	1	<input type="checkbox"/>		
07-30-2007	SRNT	Examiner's search strategy and results	1	<input type="checkbox"/>		
04-04-2007	A..	Amendment/Reg. Reconsideration: After Non-Final Reject	2	<input type="checkbox"/>		
04-04-2007	CLM	Claims	8	<input type="checkbox"/>		
04-04-2007	REM	Applicant Arguments/Remarks Made in an Amendment	11	<input type="checkbox"/>		
04-04-2007	XT/	Extension of Time	1	<input type="checkbox"/>		
04-04-2007	WFEE	Fee Worksheet (PTO-06)	1	<input type="checkbox"/>		
10-05-2008	CTNF	Non-Final Rejection	17	<input type="checkbox"/>		
10-05-2008	1449	List of References cited by applicant and considered by examiner	2	<input type="checkbox"/>		
10-05-2008	882	List of references cited by examiner	1	<input type="checkbox"/>		
		Bibliographic Data				

10-05-2008	BIB	Sheet	1	<input type="checkbox"/>
10-05-2008	PWCLM	Index of Claims	1	<input type="checkbox"/>
10-05-2008	SRFW	Search Information including classification, databases and other search related notes	1	<input type="checkbox"/>
09-28-2008	SRNT	Examiner's search strategy and results	4	<input type="checkbox"/>
11-18-2005	138A	Authorization for Extension of Time all replies	4	<input type="checkbox"/>
09-07-2005	M903	Notice of DO/EQ Acceptance Mailed Notice of Change of Address placed in File Wrapper due to EBC Customer Number update	2	<input type="checkbox"/>
07-21-2005	EBCCAD	Bibliographic Data Sheet	1	<input type="checkbox"/>
07-14-2005	BIB	Miscellaneous Incoming Letter	5	<input type="checkbox"/>
07-14-2005	OATH	Oath or Declaration filed	3	<input type="checkbox"/>
07-14-2005	IDS	Information Disclosure Statement (IDS) Filed (58/08)	4	<input type="checkbox"/>
07-14-2005	FOR	Foreign Reference	4	<input type="checkbox"/>
07-14-2005	FOR	Foreign Reference	18	<input type="checkbox"/>
07-14-2005	NPL	NPL Documents	3	<input type="checkbox"/>
07-14-2005	NPL	NPL Documents	16	<input type="checkbox"/>
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07-14-2005	NPL	NPL Documents	2	<input type="checkbox"/>
07-14-2005	ARTIFACT	Artifact sheet indicating an item has been filed which cannot be scanned	1	<input type="checkbox"/>
05-18-2005	M905	Notice of DO/EQ Missing Requirements Mailed	2	<input type="checkbox"/>
05-05-2005	PETDEC	Petition Decision	2	<input type="checkbox"/>
12-01-2004	TRNA	Transmittal of New Application	4	<input type="checkbox"/>
12-01-2004	SPEC	Specification	22	<input type="checkbox"/>
12-01-2004	CLM	Claims	7	<input type="checkbox"/>
12-01-2004	ABST	Abstract	1	<input type="checkbox"/>
12-01-2004	DRW	Drawings only black and white line drawings	3	<input type="checkbox"/>
12-01-2004	OATH	Oath or Declaration filed	3	<input type="checkbox"/>
12-01-2004	WCLM	Claims Worksheet (PTO-2022)	1	<input type="checkbox"/>
12-01-2004	WFEE	Fee Worksheet (PTO-06)	1	<input type="checkbox"/>
12-01-2004	WFEE	Fee Worksheet (PTO-06)	1	<input type="checkbox"/>
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12-01-2004	SPEC	Specification	1	<input type="checkbox"/>
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12-01-2004	IMIS	Miscellaneous Internal Document	1	<input type="checkbox"/>
12-01-2004	371P	Documents submitted with 371	38	<input type="checkbox"/>



		Applications		<input type="checkbox"/>
12-01-2004	371P	Documents submitted with 371 Applications	10	<input type="checkbox"/>

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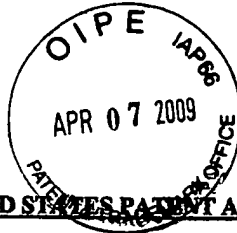
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**In re Application of:**

Lior BAUSSI et al

**Serial No.: 10/516,926**

**Filed:** July 14, 2005

For: **DIRECTION FINDING CELL  
PHONES**

**Group Art Unit: 2617**

**Attorney Docket: 37160**

Examiner: Marcos L. Torres

**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

## NOTICE OF APPEAL

Applicant hereby appeals the Final Rejection of the Examiner dated April 8, 2008, rejecting claims 1-11, 13-17, 20-23, 25-42, 48-60 and 62.

**An extension of time of three (3) months is also attached herewith.**

**This application enjoys Small Entity Status.**

Please charge the Notice of Appeal fee of \$270 to Deposit Account  
50-1407.

**Respectfully submitted,**

Martin P. Moynihan

**Martin D. Moynihan**  
Registration No. 40,338

**October 7, 2008**

10/08/2008 AWD/DAFI 00000102 501407 10516926  
02 FC:2401 270.00 DA



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**THE UNIVERSITY OF CHICAGO**

Attorney  
Docket: 37160

## 01 FC:2253 555.88 DA